

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Bobby T. Sheppard,	:	<b>Death Penalty Case</b>
	:	
Petitioner,	:	Case No. 1:00cv493
	:	
-vs-	:	Judge Walter Herbert Rice
	:	
Margaret Bagley, Warden,	:	Magistrate Judge Merz
	:	
Respondent.	:	

**MOTION FOR EXTENSION OF TIME FOR PETITIONER BOBBY SHEPPARD  
TO RESPOND TO RESPONDENT'S OBJECTIONS TO THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATIONS OF JUNE 1, 2004**

Petitioner, by and through his undersigned counsel, respectfully moves this Court for an extension of time in which to file a response to Respondent's Objections to the Magistrate Judge's Report and Recommendations of June 1, 2004. Petitioner requests that the deadline for responding to the Respondent's Objections be extended until July 14, 2004. Petitioner's response would otherwise be due on July 7, 2004. Counsel has been striving to complete the response to no avail. An extension will further allow counsel to fully examine the complex issues involved in responding. Counsel for Respondent has been contacted and has indicated that he has no objection to this motion. A proposed order has been sent to Judge Merz via e-mail pursuant to the Southern District Electronic Filing Policies and Procedures Manual.

Respectfully submitted,

**s/Geoffrey J. Moul**

Geoffrey J. Moul (0070663)

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 7, 2004, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Charles L. Wille  
Assistant Attorney General  
Capital Crimes Section  
30 E. Broad Street, 26<sup>th</sup> Floor  
Columbus, OH 43215

**s/Geoffrey J. Moul**